

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

TEXTRON FINANCIAL CORP., )  
Plaintiff, )  
v. ) C.A. No. 09-61-M  
TWO RIVERS, INC., et al., )  
Defendants. )

## **ORDER**

This matter is before the Court on Defendants' Objection to the Report and Recommendation (R&R) of United States Magistrate Judge Lincoln D. Almond filed on July 30, 2012 in the above-captioned matter.

Plaintiff Textron Financial Corporation moved for summary judgment as to liability on its breach of contract claims against Defendants Two Rivers, Inc., Timothy Cooke, and Larry Cook, as well as summary judgment as to all of Defendants' counterclaims. (ECF No. 75.) The R&R recommends that Textron Financial Corporation's motion be granted in full. (ECF No. 120.) Defendants objected to the R&R (ECF No. 121), Plaintiff responded to that objection (ECF. No. 122), and Defendants filed a reply memorandum. (ECF No. 123.)

In passing on objections to an R&R, the Court reviews de novo the parts of the R&R to which objections are made and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Upon consideration of the R&R, and upon a de novo review of the record in this matter, Defendants' Objection is denied. The R&R (ECF No. 120) is accepted and adopted pursuant to 28 U.S.C. § 636(b)(1). Accordingly, Textron Financial Corporation's Motion for Summary Judgment (ECF No. 75) is GRANTED.

Textron Financial Corporation's motion for assessment of damages is due on or before October 12, 2012.

IT IS SO ORDERED.



John J. McConnell, Jr.  
United States District Judge  
September 21, 2012